

REGULAR MEETING AGENDA

Wednesday, February 25, 2004 7:45 P.M.
Public Meeting Room 206
Darien Town Hall, 2 Renshaw Road
Darien, Connecticut

APPROVAL OF MINUTES

1. **Minutes of decisions from January 21, 2004** (seated ZBA members for these decisions were Ramsay Bell, Al Tibbetts, Gary Greene, Everett Drugge, and Jeff Williams):
 - a. CALENDAR NO. 93-2003, the application of Mark R. Strazza on behalf of Dennis & Marilyn Giannos, 11 Pondfield Lane.
 - b. CALENDAR NO. 2-2004, the application of William W. Seymour & Associates on behalf of A. Timothy & Margot West, 4 Edgehill Drive.
 - c. CALENDAR NO. 3-2004, the application of Susan Borgen and Cathy Knies, d/b/a T-Party Antiques and Tea Room on behalf of Dolcetti Inc., 979 Boston Post Road.

CONTINUATION OF PUBLIC HEARINGS

Opened on January 21, 2004 and immediately continued to tonight, February 25, 2004. Since no testimony, comment, or additional information was provided to the ZBA on January 21st, the seated ZBA members for these requests are Ramsay Bell, Vic Capellupo, Al Tibbetts, Everett Drugge, and Jeff Williams. **These hearings must be completed by tonight, February 25, 2004 (within 35 days after their January 21st opening). Or the applicants may provide a 35 day extension**

allowing the ZBA to continue these hearings until March 31, 2004. The next scheduled regular ZBA meeting is March 17, 2004.

CALENDAR NO. 4-2004

The application of Gleason Hill & Ambrette, LLC on behalf of Richard D. Sanford and Russell H. Sanford, and Commerce Bank filed on December 23, 2003 for variations of Sections 615, 616, 904, 906, 923, and 943 of the Darien Zoning Regulations to allow the construction of a one story bank building with off street parking and signage. Section 615.7: 21.0 in lieu of 25.0 feet minimum required rear yard setback for the building; Section 615.11: 2.0 in lieu of 20.0 feet minimum required front landscape depth; Section 615b: 2.0 in lieu of 75.0 feet minimum required front yard setback for parking; Section 616b: parking between the street line and the front of the building; Section 904: 30 in lieu of 37 minimum required parking spaces; Section 906.6: 0.0 in lieu of 20.0 feet minimum required front yard setback and 5.0 in lieu of 10.0 feet minimum required rear yard setback for parking; Section 923.1: to permit a wall sign with 27.5 in lieu of 24.0 maximum square feet, and 60 in lieu of 10" maximum figure (logo) height; Section 923.2: to permit a monument sign in lieu of a hanging sign with 38.4 in lieu of 6.0 maximum square feet, 8 in lieu of 6" maximum letter height, and 18 in lieu of 6" maximum figure (logo) height; Section: 923.4: to permit internally illuminated signs; and Section 943: 0 in lieu of 20.0 feet minimum required front landscape area. The property is situated on the southeast side of Boston Post Road approximately 510 feet west of the intersection of Boston Post Road and Brookside Road and is shown on Tax Assessor's Map #16 as Lots #101 and 103 being 714-728 Boston Post Road and located in a DB-1 (commercial) Zone.

CALENDAR NO. 5-2004

The application of Robert F. Maslan, Jr. Esq. on behalf of Denis Manelski and Jennifer Manelski filed on December 23, 2003 for an appeal if necessary under Section 1122 of the order, requirement, decision, and/or determination of the Zoning Enforcement Officer; for interpretations of Sections 371 and 385; and, if necessary, variations of Sections 334, 406, and 825 of the Darien Zoning Regulations to allow the construction of a two and one-half story replacement residence with a one story wrap around porch, and an attached one and three quarter story garage. Section 1122: an interpretation that under Connecticut General Statute § (Section) 8-26a, the current Zoning Regulations do not apply to the subject property; Section 371: an interpretation that the proposed 7.0'

octagonal by 4.5' high roof structure (cupola) is an acceptable architectural feature exempt from the height regulations; Section 385: a determination that the subject lot is a legal nonconforming building lot with 39,640 in lieu of 43,560 square feet minimum required lot size; Section 334: construction on a portion of the lot with 114.9 in lieu of 150.0 feet minimum required lot width; Section 406: 25.0 in lieu of 40.0 feet minimum required west rear yard setback for the replacement residence and garage; 25.0 in lieu of 40.0 feet minimum required east rear yard setback for the replacement residence and the wrap around porch; and Section 825: maintenance of existing basement storage space at 5.9 in lieu of 13.0 feet minimum required floor elevation. The property is situated on the south side of Pratt Island approximately 1,150 feet southeast of the intersection of Nearwater Lane and Baywater Drive and is shown on Tax Assessor's Map #55 as Lots #121 and 122, being 11 Pratt Island and located in an R-1 (residential) Zone.

PUBLIC HEARINGS

CALENDAR NO. 6-2004

The application of Bohdan Kurylko filed on January 21, 2004 for variations of Section 406 and 825 of the Darien Zoning Regulations to allow the construction of one half, one, and second story additions. Section 406: 34.6 in lieu of 65.0 feet minimum required front yard setback as measured from the centerline of Beach Drive for a one story covered front porch; 33.0 in lieu of 65.0 feet minimum required front yard setback as measured from the centerline of Beach Drive for second floor dormers; 36.6 in lieu of 65.0 feet minimum required front yard setback as measured from the centerline of Beach Drive for a one half story box window; 18.0 in lieu of 25.0 feet minimum required rear yard setback for a second floor deck and guest bedroom expansion addition; 22.0 in lieu of 25.0 feet minimum required rear yard setback for a one story garage addition; and Section 825: maintenance of existing basement space at 5.0 in lieu of 14.0 feet minimum required floor elevation; and maintenance of existing living space at 13.3 in lieu of 14.0 feet minimum required floor elevation. The property is situated on the east side of Beach Drive approximately 400 feet south of the intersection of Beach Drive and Outlook Drive and is shown on Tax Assessor's Map #52 as Lot #101, being 35 Beach Drive and located in an R-1/2 (residential) Zone.

CALENDAR NO. 7-2004

The application of Leigh Overland on behalf of Frank & Lois Zabrocky filed on January 21, 2004 for variations of Section 406 of the Darien Zoning Regulations to allow the construction of a two story addition. Section 406: 7.7 in lieu of 10.0 feet minimum required side yard setback and 14.8 in lieu of 25.0 feet minimum required total of two side yards setback. The property is situated on the east side of Hoyt Street approximately 100 feet north of the intersection of Echo Drive and Hoyt Street and is shown on Tax Assessor's Map #27 as Lots #166 and 160, being 67 Hoyt Street and located in an R-1/3 (residential) Zone.

CALENDAR NO. 8-2004

The application of Robert Koch on behalf of Tom Oborski filed on January 21, 2004 for variations of Section 406 of the Darien Zoning Regulations to allow the construction of a second story addition. Section 406: 4.2 in lieu of 10.0 feet minimum required side yard setback and 16.1 in lieu of 25.0 feet minimum required total of two side yards setback. The property is situated on the west side of Dubois Street opposite the intersection of Patricia Lane and Dubois Street and is shown on Tax Assessor's Map #45 as Lot #40, being 21 Dubois Street and located in an R-1/3 (residential) Zone.

CALENDAR NO. 9-2004

The application of Gleason, Hill & Ambrette, LLC on behalf of Michael and Lisa Rintoul filed on January 21, 2004 for an interpretation of Section 372 and a variation of Section 334 of the Darien Zoning Regulations to allow the construction of a replacement two and one-half story dwelling. Section 334: construction on a portion of the lot with 144.0 in lieu of 150.0 feet minimum required lot width; and Section 372: a finding that the front of the proposed residence, at 107.98 feet from Harbor Road, would be in alignment with the pronounced uniformity of the fronts of existing buildings and of the depths of front yards within 150 feet of the subject lot. The property is situated on the west side of Harbor Road approximately 300 feet southwest of the north intersection of Harbor Road and Rings End Road and is shown on Tax Assessor's Map #51 as Lot #18, being 5 Harbor Road and located in a R-1 (residential) Zone.

CALENDAR NO. 10-2004

The application of Gleason, Hill & Ambrette, LLC on behalf of Edward Carey Holcomb and Heather Winters filed on January 21, 2004 for variations of Sections 416 and 825d6 of the Darien Zoning Regulations to allow the construction of a second story addition and one and one half story additions; and the maintenance of existing basement, garage, and first floor space. Section 416: 8.1 in lieu of 15.0 feet minimum required side yard setback for the second story addition; and 9.0 in lieu of 25.0 feet minimum required rear yard setback for the one and one half story addition; and Section 826d6: maintenance of existing first floor living space at 11.6 in lieu of 13.0 feet minimum required floor elevation; maintenance of existing garage space at 9.9 in lieu of 13.0 feet minimum required floor elevation; maintenance of existing basement space at 4.5 in lieu of 13.0 feet minimum required floor elevation; and construction of additional living space at 11.6 in lieu of 13.0 feet minimum required floor elevation. The property is situated at the northwest corner formed by the intersection of Baywater Drive and Waverly Road and is shown on Tax Assessor's Map # 55 as Lots #14 and 15, being 4 Waverly Road and located in a R-NBD (residential) Zone.

CALENDAR NO. 11-2004

The application of Lance E. Zimmerman on behalf of Stephane & Maria Ines Bello filed on January 21, 2004 for variations of Section 406 of the Darien Zoning Regulations to allow the construction of one and one-half story, two story, and second story additions. Section 406: 11.0 in lieu of 25.0 feet minimum required side yard setback for the one and one half story addition; and 20.0 in lieu of 25.0 feet minimum required side yard setback for the two story and second story addition. The property is situated on the north side of Fox Hill Lane approximately 1800 feet west of the intersection of Mansfield Avenue and Fox Hill Lane and is shown on Tax Assessor's Map #6 as Lot #114, being 21 Fox Hill Lane and located in an R-1 (residential) Zone.

GENERAL MEETING

1. Discussion, deliberation and possible decisions for Public Hearing request items listed above.
2. Any other business (requires 2/3 vote of members present and voting).